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TAGS: [PARM](#) [MNUC](#) [KNNP](#) [IAEA](#) [AORC](#) [IR](#) [SY](#)
SUBJECT: IAEA: DG DISCUSSES SYRIA AND IRAN WITH ACTING U/S
ROOD

REF: UNVIE 640 AND PREVIOUS

Classified By: Ambassador Gregory L. Schulte for reasons 1.4 b, d, e

Summary

¶1. (C) IAEA Director General ElBaradei advised Acting U/S for Arms Control and International Security John Rood in a November 20 meeting that the IAEA had received "the maximum it could get" from Iran absent a political opening, and encouraged P5 1 engagement with Iran on a freeze-for-a-freeze to slow down the Iranian program. With respect to the Syria investigation, the DG sought to confront Syria with strong arguments, and noted the need for inspector access to the debris at Al Kibar. He was circumspect about Syria allowing visits to the other locations, and also did not expect a response from Israel on uranium munitions. The DG took a firm stance in support of the Syrian feasibility study project, advising the U.S. to "forget about" dropping it from the 2009-2011 Technical Cooperation (TC) program. He deflected any nonproliferation concerns about the Syrian project as a matter of "due process," given that there had been no finding of noncompliance by the Board or UNSC, and cautioned against politicizing TC. Flanked by Secretariat officials, ElBaradei also rebutted technical arguments on the Syrian project. He was dismissive about the prospect of Congressional reaction to its inclusion in the TC program. End Summary.

All We Can Get From Iran

¶2. (C) Regarding Iranian cooperation with the IAEA investigation, DG ElBaradei assessed that the IAEA had gotten the "maximum it would get" absent a political opening. Iran made a decision a couple months ago to await the next U.S. administration, and he expected that a political opening would take more time given June elections in Iran. The DG's report made it clear that the issue was not moving, a concern also shared by the Europeans. Asked by Ambassador Schulte if the investigation was getting "too close," ElBaradei reverted to his usual position that any "confession" would have to be grandfathered as part of a political package or "grand bargain." Iran would not get anything out of confessing now, and with no prospect of further UNSC sanctions, would seek to maintain the status quo until a better deal is offered.

3.(C) Acting U/S Rood advised that the U.S. would continue to seek to apply additional sanctions even outside the UNSC, and noted efforts to breathe life into the P5 1-proposed "freeze for a freeze." The DG still believed the "freeze" was a good idea but argued for "fudging" the time limit, possibly reviewing it at the end of the six weeks. Rood noted that without a time limit Iran could protract the freeze, placing the onus on the P5 1 to end the agreement. The DG also proposed that a "freeze" could be defined in such a way as to

prohibit further introduction of nuclear material (again without a time limit), if the concern is perfecting enrichment technology. If there were any such indication of Iranian engagement, Rood advised, the U.S. would not be "hard over."

14. (C) The DG welcomed any effort to engage Iran and slow down its enrichment process. For its part, the IAEA had lost contact with Iranian (political-level) interlocutors. ElBaradei further suggested that P5 1 discussions be held at the level of Solana (i.e. as opposed to Cooper). He also noted that however well-intentioned Turkey's mediation offer is, it could not be a substitute for direct talks with the U.S.

Still Questioning Syria

15. (S) Turning to the Syria investigation, the DG observed at the outset that he did not expect answers from Israel regarding uranium munitions, and noted that the inspectors sought to examine debris from the Al Kibar site and take further samples. He advised that the IAEA needed strong arguments to counter Syrian claims, and complained about delays in sharing imagery taken immediately after the bombing. ElBaradei expected that this imagery and the uranium samples could get Syria to open up, and noted that Safeguards DDG Heinonen would meet with the Syrians (he did not specify when). However, he thought Syria would continue to refuse access to additional sites, sticking by its claim they were not nuclear-related. The DG still questioned evidence of the suspected reactor at Al Kibar. He observed that Syria lacked nuclear-trained personnel, i.e. "Did they completely outsource the reactor to the DPRK?", and noted the absence of fuel and reprocessing facilities. Acting U/S Rood remarked that the reactor would have likely been used for military purposes.

16. (S) ElBaradei asserted that as the Syrian program was driven by the military, SRG Atomic Energy Commission Director General Ibrahim Othman was not fully informed, and the IAEA was at a disadvantage after its main Syrian interlocutor, General Suleiman, was assassinated. ElBaradei recommended giving some assurances in order to get Syria to come clean, and still hoped that the issue could be resolved as part of broader Syrian-Israeli talks.

Forget About the TC Project

17. (C) Acting U/S Rood relayed U.S. concerns about the inclusion of the Syrian nuclear reactor feasibility study project. Ambassador Schulte reviewed technical arguments on the project design as being out of step with Milestones and other feasibility studies, including questionable procurements. Advised that the U.S. would not join consensus on the TC program and would ask the Board Chair to extract this project, ElBaradei responded tartly, "forget about it." He said there was no way short of Syria withdrawing the project that the IAEA Secretariat would drop it, and insisted vehemently on this position.

18. (C) With respect to non-proliferation concerns related to the ongoing investigation in Syria, the DG retorted "due process, due process," arguing that suspicion was not a "verdict of guilt" and that under the IAEA Statute, TC could not be restricted absent a finding of non-compliance by the Board of Governors or General Conference, or unless sanctioned by the UNSC, as with previous cases in Iran, Iraq, DPRK and Israel. In his view, every country is "under investigation" one way or another and he did not share our judgment that Syria had violated its safeguards agreement. The DG took a principled position that TC must be based only on technical criteria laid out in INFCIRC-267, and that the Board could not stop the project without amending those criteria. He warned that "politicizing" TC would lead countries to walk out of the NPT bargain. Rood countered by saying that controversial projects like the proposed Syria

project were the best way to spark a "political" debate on TC.

¶9. (C) ElBaradei, flanked by Special Advisor Graham Andrew and EXPO Director Vilmos Cserveny, also countered several of our technical arguments (Note: DDG Heinonen was present but remained silent. End note.) ElBaradei affirmed that Syria's interest in nuclear power was not "out of the blue," citing its prior in participation in 13 national and regional projects dating back to 1979. With respect to Syria's lack of technical capacity, the DG noted U.S. support for nuclear power in countries such as the UAE, which also lack technical capacity. The site selection aspect of the Syrian project was nothing more than an evaluation of whether there might be a site appropriate for a nuclear reactor, and the procurements associated with the project were "innocuous," including a gamma ray spectrometer, which "any university may own," and earthquake monitoring equipment. ElBaradei and his deputies rejected any argument that the Syrian feasibility study is more generous than other similar studies, and claimed to the contrary that Syria was getting less than 20 to 30 other countries undertaking such studies. As to consistency with the Milestones document, Andrew noted these phases were flexible guidelines, and every country was different. Cserveny further downplayed the Syria project as just a feasibility study before making a decision to invest millions in nuclear power. When Ambassador Schulte noted that this project could have been done or presented differently, the DG and Secretariat officials insisted the process was driven by technical considerations and the member state request.

¶10. (C) Acting U/S Rood cautioned that inclusion of the project would lead to politicization of TC and could prompt further Congressional scrutiny of the TC program, which already did not have a good track record. The U.S. Congress may question authorizing a generous reactor-feasibility study to a country that has pursued a covert nuclear program. The U.S. wanted to continue funding the TC program, Rood advised, and asked the DG not to put us in this position. If Congress did not understand that this was a question of "due process," ElBaradei acknowledged its prerogative to cut funding to this particular project. Rood further cautioned that the response may not be proportionate or limited to this program.

¶11. (C) Note: We learned the French Ambassador subsequently raised many of the same points in a follow-on discussion with the ElBaradei on November 21, eliciting the same response. The DG then directed his staff to devise a point-by-point rebuttal to our technical points, which was distributed immediately following the U.S. intervention and the DG's response in the TACC on November 24 (reftel)

¶12. (U) Acting U/S Rood has cleared this message.

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